

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK  
BUFFALO DIVISION**

In Re: §  
§  
§ Kim M. Garbo § Case No. 21-11053  
§  
§ Debtor §

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## **TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter 7 of the United States Bankruptcy Code was filed on 10/13/2021. The undersigned trustee was appointed on .
  2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
  3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$ 3,902.33

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	0.00
Bank service fees	0.00
Other payments to creditors	0.00
Non-estate funds paid to 3 <sup>rd</sup> Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00
Leaving a balance on hand of <sup>1</sup>	\$ 3,902.33

The remaining funds are available for distribution.

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<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 02/22/2022 and the deadline for filing governmental claims was . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$975.58. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests a sum of \$975.58, for a total compensation of \$975.58<sup>2</sup>. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00, and now requests reimbursement for expenses of \$2.16, for total expenses of \$2.16<sup>2</sup>.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date:05/24/2022 By:/s/Joseph G. Frazier, TR  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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<sup>2</sup>If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Exhibit A

Case No:	21-11053	CLB	Judge:	Carl L. Bucki	Trustee Name:	Joseph G. Frazier, TR
Case Name:	Kim M. Garbo				Date Filed (f) or Converted (c):	10/13/2021 (f)
For Period Ending:	05/24/2022				341(a) Meeting Date:	11/17/2021
					Claims Bar Date:	02/22/2022

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. 99 Ilion Street Tonawanda Ny 14150-0000 Erie	170,000.00	80,025.00		0.00	FA
2. 2007 Chevrolet Trailblazer Mileage: 205000 Ex-Spouse On Title Debtor Entitled To 100% Ownership Ls 4Wd In Bad Condition. 4Wd Doesn't Work. Needs Significant Work Nada Rough Trade-In	1,200.00	0.00		0.00	FA
3. 2002 Aero Pop-Up Camper	800.00	800.00		0.00	FA
4. Basic Household Furnishings	4,000.00	0.00		0.00	FA
5. Television, Cell Phone, Laptop	1,000.00	0.00		0.00	FA
6. Treadmill	50.00	50.00		0.00	FA
7. 1 Smith & Wesson Ez Slide 380 Pistol	200.00	200.00		0.00	FA
8. Clothing	500.00	0.00		0.00	FA
9. Engagement Ring, Wedding Band	900.00	0.00		0.00	FA
10. Keybank	45.00	0.00		0.00	FA
11. Summit Fcu	358.00	0.00		0.00	FA
12. Xlem	233,400.00	0.00		0.00	FA
13. Mony Life Insurance Company Whole Life \$6785 Value With \$4300 Loan	2,485.00	0.00		0.00	FA
14. Pro-rated 2021 tax refunds (u)	Unknown	3,902.33		0.00	3,902.33

TOTALS (Excluding Unknown Values)	\$414,938.00	\$84,977.33	Gross Value of Remaining Assets
			\$0.00 \$3,902.33
			(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

**Case Summary and Chronology to Date:**

A voluntary chapter 7 case was filed on October 13, 2021. The section 341(a) meeting was conducted on November 17, 2021. On November 18, 2021, the trustee filed a request for a claims bar date. The last day for creditors to file claims expired on February 22, 2022. Unsecured claims totaling \$22,615.44 have been filed. No claim objections were filed.

**Exhibit A**

The trustee has investigated the nature and extent of the debtor's interests in pro-rated 2021 state and federal income tax returns. Returns were received by trustee in March 2022, and demand for the pro-rated non-exempt portion was made to debtor's counsel on April 7, 2022. The debtor remitted the demanded sum on May 3, 2022.

**Initial Projected Date of Final Report (TFR): 06/01/2022****Current Projected Date of Final Report (TFR): 06/01/2022**

**FORM 2**  
**ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD**

Case No: 21-11053  
Case Name: Kim M. Garbo

Trustee Name: Joseph G. Frazier, TR  
Bank Name: Axos Bank  
Account Number/CD#: XXXXXX0069  
Checking

Taxpayer ID No: XX-XXX8878  
For Period Ending: 05/24/2022

Exhibit B

Blanket Bond (per case limit): \$0.00  
Separate Bond (if applicable):

1	2	3	4	5	6	7	
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
05/03/22		Kim M. Garbo 99 Ilion St. Tonawanda, NY 14150	tax refund	1124-000	\$3,902.33		\$3,902.33

COLUMN TOTALS	\$3,902.33	\$0.00
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	<hr/> \$3,902.33	<hr/> \$0.00
Less: Payments to Debtors	\$0.00	\$0.00
Net	<hr/> \$3,902.33	<hr/> \$0.00

## Exhibit B

## TOTAL OF ALL ACCOUNTS

	NET DEPOSITS	DISBURSEMENTS	NET	ACCOUNT
				BALANCE
XXXXXX0069 - Checking	\$3,902.33	\$0.00	\$3,902.33	
	\$3,902.33	\$0.00	\$3,902.33	
	(Excludes account transfers)	(Excludes payments to debtors)		Total Funds on Hand
Total Allocation Receipts:	\$0.00			
Total Net Deposits:	\$3,902.33			
<hr/> Total Gross Receipts:	<hr/> \$3,902.33			

Exhibit C  
ANALYSIS OF CLAIMS REGISTER

Case Number: 1-21-11053-CLB

Date: May 24, 2022

Debtor Name: Kim M. Garbo

Claims Bar Date: 2/22/2022

Code #	Creditor Name And Address	Claim Class	Notes	Scheduled	Claimed	Allowed
100	Joseph G. Frazier 280 East Ave 2100 Lockport, NY 14094	Administrative		\$0.00	\$975.58	\$975.58
100	Joseph G. Frazier 280 East Ave 2200 Lockport, NY 14094	Administrative		\$0.00	\$2.16	\$2.16
100	Joseph G Frazier 280 East Avenue 3110 Lockport, NY 14094	Administrative		\$0.00	\$175.00	\$175.00
2	Department Stores National Bank C/O Quantum3 Group Llc 7100 Po Box 657 Kirkland, Wa 98083-0657	Unsecured	Sch F 4.8	\$511.00	\$511.00	\$511.00
3	Kohl"s 300 Peritus Portfolio Services Ii, Llc 7100 Po Box 141509 Irving, Tx 75014	Unsecured	Sch F 4.7	\$1,438.00	\$1,438.16	\$1,438.16
4	Citibank, N.A. 300 5800 S Corporate Pl 7100 Sioux Falls, Sd 57108-5027	Unsecured	Sch F 4.5	\$4,854.00	\$4,854.05	\$4,854.05
5	Portfolio Recovery Associates, Llc 300 Pob 41067 7100 Norfolk Va 23541	Unsecured	Sch F 4.11	\$5,763.00	\$5,724.24	\$5,724.24
6	Portfolio Recovery Associates, Llc 300 Pob 41067 7100 Norfolk Va 23541	Unsecured	Sch F 4.10	\$10,088.00	\$10,087.99	\$10,087.99
Case Totals				\$22,654.00	\$23,768.18	\$23,768.18
Code#: Trustee's Claim Number, Priority Code, Claim Type (UTC)						

## TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 21-11053

Case Name: Kim M. Garbo

Trustee Name: Joseph G. Frazier, TR

Balance on hand	\$	3,902.33
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Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: Joseph G. Frazier	\$ 975.58	\$ 0.00	\$ 975.58
Trustee Expenses: Joseph G. Frazier	\$ 2.16	\$ 0.00	\$ 2.16
Attorney for Trustee Fees: Joseph G Frazier	\$ 175.00	\$ 0.00	\$ 175.00
Total to be paid for chapter 7 administrative expenses		\$ 1,152.74	
Remaining Balance		\$ 2,749.59	

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$22,615.44 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 12.2 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
2	Department Stores National Bank	\$ 511.00	\$ 0.00	\$ 62.13
3	Kohl's	\$ 1,438.16	\$ 0.00	\$ 174.85
4	Citibank, N.A.	\$ 4,854.05	\$ 0.00	\$ 590.16
5	Portfolio Recovery Associates, Llc	\$ 5,724.24	\$ 0.00	\$ 695.95
6	Portfolio Recovery Associates, Llc	\$ 10,087.99	\$ 0.00	\$ 1,226.50
Total to be paid to timely general unsecured creditors				\$ 2,749.59
Remaining Balance				\$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE